THE HON'BLE SRI JUSTICE C.V. RAMULU

Tuesday, 24th October,2006

W.P.No.29170 of 1995

Between :

Lanka Varada Reddy ... Petitioner

and

Govt. of Andhra Pradesh, rep. by its Principal Secretary, Irrigation and Canal Ayacut Area Development Department, Secretariat, Hyderabad and others ... Respondents

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ORAL ORDER:

It appears that the petitioner is one of the land oustees, since the lands held by him along with others were submerged under Srisailam Project. He studied upto Intermediate and made an application dated 4-2-1987 to the 3rd respondent seeking employment under the Displaced Persons Scheme in G.O.Ms.No.98, dated 15-4-1986.

According to the petitioner, his name was shown at serial No.7 in the list prepared by the 3rd respondent. Though he is senior in the list, he was not offered employment along with others. In fact, he was informed by the 3rd respondent through letter dated 11-2-1987 that his application was sent to the 4th respondent. Instead of sending the application to the proper person, the application was sent to the Superintending Engineer, Priyadarshini Jurala Project, Circle No.1 of Gadwal. However, the 3rd respondent by his Proceedings dated 24-12-1988 sent further list of displaced persons to the said Superintending Engineer. Even in this list, his name was again forwarded by the 3rd respondent. However, Superintending Engineer, Priyadarshini Jurala Project returned the same after a gap of two years i.e. on 2-5-1989 on the ground that displaced persons are entitled to seek employment under Srisailam Project alone, but not under Priyadarshini Jurala Project. Further, a Selection Committee was

constituted under G.O.Ms.No.266, dated 19-9-1994 for selecting candidates among the list prepared by the District Collector. However, the petitioner was not selected for all these years. Questioning the inaction of respondents in selecting him, the petitioner filed Writ Petition No.1382 of 1995 before this Court. The said Writ Petition was disposed of on 12-7-1995 directing the respondents to complete the process of selection within two months. Thereafter, the petitioner was informed that the Selection Committee took a decision on 26-9-1995 that he was paid compensation of more than Rs.25,000/- and as such, it is not possible to provide employment under the Displaced Persons Scheme. According to the petitioner, G.O.Ms.No.98, dated 15-4-1986 does not contemplate any restriction with regard to payment of compensation either of Rs.25,000/- or any other benefits. The very object of the said G.O. is to help the displaced persons, who have lost their property. The Government Memos dated 22-8-1987, 20-4-1988, 19-4-1990, and 17-6-1991 relating to the imposition of restrictions with regard to payment of compensation were also rejected by this Court, in Writ Petition No.14931 of 1993, dated 29-11-1993, as the same are contrary to G.O.Ms.No.98, dated 15-4-1986. According to the petitioner, he submitted his application on 4-2-1987 and the same is within the parameters of G.O.Ms.No.98, dated 15-4-1986; therefore, he is entitled for appointment. Again his case was rejected by an Order dated 27-9-1995 on the very same ground. Aggrieved by the same, the present Writ Petition is filed.

A detailed counter affidavit has been filed by respondents 1 to 4 reiterating the same stand as was taken in the earlier Orders passed by the respondents. Learned Government Pleader also reiterated the same stand and opposed the Writ Petition.

Be that as it may, while admitting the Writ Petition, this Court

directed the respondents to consider the case of the petitioner in the light of G.O.Ms.No.98, dated 15-4-1986 as to his eligibility for preferential appointment by an interim Order dated 26-12-1995. Now, it is more than 11 years since the said order has been passed. There is no information as to what happened in pursuance of the said interim order. In the circumstances, I am of the opinion that in view of the interim orders, no further orders are necessary to be passed in the Writ Petition. However, if for any reason, the case of the petitioner is not considered as per the interim orders dated 26-12-1995, the respondents are directed to consider the case of the petitioner as per the said interim order and communicate the decision to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No order as to costs.

24-10-2006

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